



Andy Beshear
Governor

Rebecca W. Goodman
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Michael J. Schmitt
Chairman

Robert Cicero
Vice Chairman

Talina R. Mathews
Commissioner

March 9, 2020

PARTIES OF RECORD

Re: Case No. 2019-00269

Attached is a copy of a memorandum, which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum, please do so within five days of receipt of this letter.

If you have any questions, please contact Quang D. Nguyen, Assistant General Counsel at (502) 782-2586.

Sincerely,

A handwritten signature in blue ink, appearing to read "KAC", written over a faint circular stamp.

Kent A. Chandler
Executive Director

QN

Attachment

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File – Case No. 2019-00269

FROM: Quang D. Nguyen, Assistant General Counsel 

DATE: March 9, 2020

RE: Informal Conference of March 5, 2020

Pursuant to an Order issued on February 28, 2020, an informal conference (IC) was held at the Commission's offices in Frankfort, Kentucky, on March 5, 2020. The IC was held at the request of Big Rivers Electric Corporation (BREC) to allow the parties an opportunity to discuss and clarify the issues and the possible resolution of issues in this proceeding. The attendance sheet for the IC is attached to this memo.

Representatives of BREC began the discussions by providing a power point presentation that detailed the history among BREC, the city of Henderson, and the Henderson Utility Commission d/b/a Henderson Municipal Power & Light (HMP&L) with respect to the operation of HMP&L's Station Two Generating Station pursuant to the various agreements related to the construction, operation, and use of the Station Two facilities and the parties' obligations under those agreements. BREC's presentation also included an offer of settlement and BREC provided details to those particular terms of offer.¹ Representatives of the city of Henderson indicated their objections to certain characterizations made by BREC concerning the contractual relationship and obligations among the parties with respect to the operation and use of Station Two. The city of Henderson further indicated that it would need time to review and respond to the offer made by BREC. With respect to the procedural deadlines proposed by BREC, the city of Henderson stated that it will provide alternative dates to consider and would do so by March 13, 2020.

There being no further discussion, the IC was then adjourned.

Attachment

¹ Because the power point presentation includes terms of a settlement offer which are considered to be confidential in nature and offered only for purposes of settlement negotiations, the power point presentation will not be included as part of this IC memorandum.

INFORMAL SIGN IN SHEET

HEARING: BIG RIVERS

Number: Case 2019- 00269

Hearing LOCATION: CONFERENCE ROOM 1

Date MARCH 5, 2020

NAME	COMPANY
Tyson Karnut	Big Rivers
Greg Mayes	"
Bob Berry	"
Paul Smith	"
Mike Pullan	"
Mike Kurtz	"
Jody Kyler Cohn	"
Kurt Boehm	"
Jack Kyle	HURPCL
Randall Redding	AMP L
Aaron Farmer	AMP L
Chris Heringer	AMP L
Quang D Nguyen	PJC

NAME

REPRESENTING

John Rogness

KPSC

Anthony Woodridge

KPSC

Menahat

KPSC

Jim Livers

KPSC

*Clay Larkin
Bingham Greenebaum Doll LLP
3500 National City Tower
101 South Fifth Street
Louisville, KENTUCKY 40202

*H. Randall Redding
King, Deep & Branaman
127 North Main Street
P.O. Box 43
Henderson, KENTUCKY 42419

*Dawn Kelsey
City Attorney
City of Henderson
222 First Street
Henderson, KENTUCKY 42420

*Sharon W Farmer
King, Deep & Branaman
127 North Main Street
P.O. Box 43
Henderson, KENTUCKY 42419

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Honorable John N Hughes
Attorney at Law
124 West Todd Street
Frankfort, KENTUCKY 40601

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420